

REMARKS

In response to the Office Action mailed on November 15, 2007, Applicants respectfully requests reconsideration. Claims 1, 3-5, 7-10, and 12-22 are now pending in this Application. Claims 1, 10, 14 and 21 are independent claims and the remaining claims are dependent claims. In this Amendment, claims 2, 6 and 11 have been cancelled. Applicants believe that the claims as presented are in condition for allowance. A notice to this affect is respectfully requested.

The Examiner objected to the specification due to an informality. The specification has been amended to address the informality cited by the Examiner. Accordingly, the objection is believed to have been rendered moot.

The Examiner objected to claims 2, 6 and 11 as not being supported by the specification. Claims 2, 6 and 11 have been cancelled without prejudice. The Examiner objected to claims 1, 10, 14 and 21 as reciting "temporal period and temporal offset" which the Examiner alleges is not supported by the specification. The Examiner is directed to paragraphs 11, 43-45, 50, 52, 53 and 61 of the specification which recite "temporal period and temporal offset". Claim 22 has been amended to correct a typographical errors as indicated by the Examiner. Accordingly, the objection to the claims is believed to have been overcome.

The Examiner rejected claims 1 and 14 on the ground of non-statutory obviousness-type double patenting over claims 1 and 10 of U.S. Patent No. 7,154,876. Upon an indication of allowance of the present application, Applicants will promptly file a terminal disclaimer, disclaiming any terminal part of any patent granted on the present application which would extend beyond the expiration date of the statutory term of U.S. Patent 7,154,876.

Claims 1, 2, and 5-8 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2003/0198244 to Ho et al (hereinafter

Ho). Applicants respectfully disagree with these contentions and assert that the present claimed invention is not anticipated by any disclosure in the Ho references.

The Examiner states that "...the time interval of RPI frame (a first temporal period and temporal offset) specifies a time schedule...". A careful review of Ho reveals that RPI is NOT a frame, but instead is a request polling interval. Thus, it appears that the Examiner has miscategorized the prior art. Further, if one were to arguably assert that the RPI correlates to the first temporal period, it still does not disclose or suggest the first temporal offset. As stated in the specification as filed at paragraph eleven, the temporal offset for the temporal period is used to establish an advantageous polling schedule (rather than using just the temporal period) that reduces the delay between when a station queues a frame and when a station transmits a frame. Accordingly, since Ho fails to disclose or suggest the use of a temporal offset with the temporal period, claim 1 is believed allowable. Claims 2 and 6 have been cancelled. Claim s3-5 and 7-8 depend from claim 1 and are believed allowable as they depend from a base claim which is believed allowable.

Claims 14, 15 and 17-19 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,737,330 to Fulthorp et al. (hereinafter Fulthorp). Fulthorp teaches a system and method for the efficient control of a radio communications network. The Examiner stated that Fulthorp teaches the use of a temporal offset for a temporal period at column 2, lines 61-67. Applicants respectfully disagree with the Examiner's assertion. A careful review of Fulthorp discloses each of a plurality of remote radio units that transmit a poll request to a base station. The base station then transmit a poll signal which includes a poll response sequence which indicates a time frame in which a radio unit may respond to the poll signal. Thus, Fulthorp arguably discloses receiving a polling request that specifies a first temporal period for a plurality of expected future

transmissions. Fulthorp does not disclose or suggest estimating a first temporal offset for said first temporal period.

In contrast to Fulthorp, claim 14 recites a receiver for receiving a polling request that specifies a first temporal period and a first temporal offset for a plurality of expected future transmissions from a first station. As stated in the specification as filed at paragraph 11, the temporal offset for the temporal period is used to establish an advantageous polling schedule (rather than using just the temporal period) that reduces the delay between when a station queues a frame and when a station transmits a frame. Accordingly, since Fulthorp fails to disclose or suggest the use of a temporal offset with the temporal period claim 14 is believed allowable over Fulthorp. Claims 15 and 17-19 depend from claim 14 and are believed allowable as they depend from a base claim which is believed allowable.

The Examiner rejected claims 3, 4, 9, and 10-13 under 35 U.S.C. §1-3(a) as being unpatentable over U.S. Publication no. 2003/0198244 of Ho in view of U.S. Publication No. 2002/0093953 by Naim et al. (hereinafter Naim). Claims 3, 4 and 9 depend from claim 1 and are believed allowable as they depend from a base claim which is believed allowable. Claim 10 recites in part transmitting a polling request that specifies a temporal period and a temporal offset for a plurality of expected future transmissions. Ho teaches an RPI interval which arguably correlates to a temporal period, however Ho fails to disclose or suggest a temporal offset. Naim also fails to disclose or suggest a temporal offset to be used with a temporal period to determine a schedule. Since neither Ho nor Naim, taken alone or in combination, disclose or suggest the use of a temporal offset with the temporal period, claim 10 is believed allowable over Ho and Naim. Claims 11-13 depend from claim 10 and are believed allowable as they depend from a base claim which is believed allowable.

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The Examiner rejected claims 16 and 20 and being unpatentable over Fulthorp in view of Ho. Claims 16 and 20 depend from claim 14 and are believed allowable as they depend from a base claim which is believed allowable.

Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Fulthrop in view of Naim. As discussed above neither Fulthrop nor Naim disclose or suggest the use of a temporal offset with the temporal period. Accordingly, claim 21 is believed allowable.

If the Examiner is to maintain any of the above rejections, he is asked to point out in particular detail where in the prior art the use of a temporal offset is used in conjunction with a temporal period to establish a schedule.

In view of the above the Examiners' rejections and objections are believed to have been overcome, placing the pending claim in condition for allowance and reconsideration and allowance thereof is respectfully requested.

Applicants hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-3735.

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If the enclosed papers or fees are considered incomplete, the Patent Office is respectfully requested to contact the undersigned collect at (508) 616-9660, in Westborough, Massachusetts.

Respectfully submitted,

/DWR/

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